



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: February 05, 2019

TIME: 12:37 PM

WSR 19-04-097

Agency: Office of Superintendent of Public Instruction (OSPI)

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: This rule-making order modifies OSPI's processes related to the apportionment of state funding to high poverty schools to ensure districts, charter schools, and tribal compact schools that receive the appropriate state funding under the biennial operating budget. The rule amends the process OSPI uses to calculate the state Learning Assistance Program (LAP) allocations under WAC 392-122-605 by specifying that LAP funding is calculated based on a school district's prior school year's October headcount enrollment for free and reduced price lunch as reported in CEDARS as of March 31st of the prior school year. The rule also clarifies the process that OSPI uses to determine school district compliance with new K-3 class size requirements under the law. Finally, the rule aligns OSPI's K-3 class size rules in chapter 392-140 WAC with the 2017-19 biennial budget by striking language related to enhanced funding for K-3 high poverty schools.

Citation of rules affected by this order:

New:

Repealed: WAC 392-140-915, WAC 392-140-936, WAC 392-140-942, WAC 392-140-945

Amended: WAC 392-122-605, WAC 392-140-916, WAC 392-140-923, WAC 392-140-932, WAC 392-140-934, WAC 392-140-939

Suspended:

Statutory authority for adoption: RCW 28A.150.290, RCW 28A.155.075

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 19-01-068 on December 17, 2018 (date).

Describe any changes other than editing from proposed to adopted version:

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	<u>6</u>	Repealed	<u>4</u>

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	___	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: 2/4/19

Name: Chris Reykdal

Title: State Superintendent of Public Instruction

Signature:

